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OFFICE OF PETITIONS

In re Application of
Christopher Luckhurst, et al.
Application No. 10/508,331
Filed: September 17, 2004
Attorney Docket No. 06275-416US1

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-identified application, filed December 5, 2008.

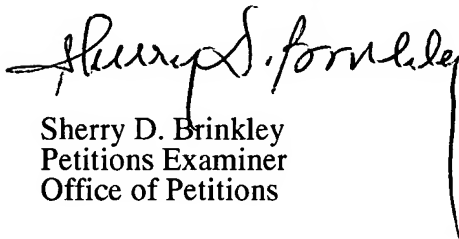
The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue and publication fees on or before October 28, 2008, as required by the Notice of Allowance and Fee(s) Due, mailed July 28, 2008, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on October 29, 2008. A Notice of Abandonment was mailed on November 24, 2008. On December 5, 2008, the present petition was filed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the \$1,510 issue fee and \$300 publication fee; (2) the petition fee of \$1,620; and (3) an adequate statement of unintentional delay¹.

The application is being referred to the Office of Data Management to be processed into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing as a patent should be directed to (571) 272-4200.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ 37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Although the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement will be construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is not a correct interpretation of the statement contained in the instant petition.